



4. Plaintiff's Original Petition asserts a breach of contract claim with alleged damages sought to be recovered of \$177,791.95. Based on the foregoing, the amount in controversy exceeds \$75,000.

5. Gateway filed its Original Answer on October 12 (attached as **Ex. 2**) and Gateway's First Amended Answer and Counterclaim on October 14 (**Ex. 3**). Also attached is the Plaintiff's Request for Disclosure which was served on October 12, 2020 (**Ex. 4**). The attached **Exhibits 1-4** constitute all pleadings and documents which have been filed or served in the state court action, Cause No. 2020-DCV2859.

6. This action is removable to this Court pursuant to 28 U.S.C. §1441(a), §1446(a), §1446(b) and §1332(a) as there is a complete diversity of citizenship between the Plaintiff, Ameri-Tech, and the Defendant, Gateway, as well as all members of Gateway, and the amount in controversy exceeds \$75,000.

7. Defendant hereby files this Notice of Removal within thirty (30) days of the initial receipt by Gateway of the Plaintiff's Original Petition pursuant to 28 U.S.C. §1446 and Rule 11 of the Federal Rules of Civil Procedure. A Defendant's Notice of Removal will be filed in the state court proceeding and copies of both this Notice of Removal and the Defendant's Notice of Removal filed in the state court proceeding will be served upon counsel for Plaintiff.

Accordingly, Gateway requests that notice be taken of this Notice of Removal and that this case be assigned a cause number and a presiding judge pursuant to the rules for the United States District Court for the Western District of Texas, El Paso Division.

Respectfully submitted,

**BECK & HALL, P.C.**  
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By: /s/ Bryan H. Hall

Bryan H. Hall  
State Bar No. 08744800

**CERTIFICATE OF SERVICE**

I hereby certify that on 14<sup>th</sup> day of October, 2020, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF System which will send notification of such filing to all counsel of record and a copy the foregoing document was forwarded to **Stuart Schwartz**, PO Box 99123, El Paso, TX 79999-9123, via email and certified mail, return receipt requested.

By: /s/ Bryan H. Hall  
Bryan H. Hall